IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

COCP No.1491 of 2005
Date of decision: November 16, 2006.

Dalbara Singh

...**Petitioner(s)**

v.

Shri B.R. Bajaj & Ors.

...**Respondent(s)**

Present: Shri A.K. Kalsy, Advocate for the petitioner.

Shri G.S. Cheema, Sr. DAG, Punjab.

Shri Vinish Singla, Advocate for respondents No.4 & 5.

Surya Kant, J. (Oral)

The petitioner, who retired from service on 31.1.2005, filed CWP No.6628 of 2004, which was disposed of on 29.4.2005 with a direction to the respondents to decide the representation which he had already made, by passing a speaking order within four months.

Alleging non-compliance of the above stated order, this contempt petition has been filed.

A perusal of the contempt petition reveals that according to the petitioner, all the retiral benefits have been paid to him on or before 21.7.2005 except the pension and interest. It is further disclosed in the contempt petition that the pension was released on 27.10.2005 though legally, it should have been released on 28.2.2005.

In response to the show cause notice,the respondents have filed

their affidavits. Respondent No.3, in para 4 of his affidavit, has stated that the pension was sanctioned on 28.10.2005 but with effect from 1.2.2005 and arrears upto 30.9.2005 as well as commuted value of pension totalling Rs.1,59,730/- has been paid to the petitioner on 28.10.2005.

According to the petitioner's own case, no other retiral benefit is due as everything has been paid by the respondents prior to 31.7.2005.

In this view of the matter, and having regard to the fact that there is some delay in payment of arrears of pension, it is directed that the petitioner be paid interest @ 6% per annum on the arrears of pension amounting to Rs.1,59,730/-, which shall be payable to him with effect from 1.4.2005 till the actual payment thereof, i.e. 28.10.2005. The above said arrears of interest shall be paid to the petitioner within a period of three months from today.

Disposed of.

Rule discharged.

November 16, 2006. [**Surya Kant**]
kadyan **Judge**